

File No. 600

(Reprint of File No. 438)

Substitute House Bill No. 5369  
As Amended by House Amendment  
Schedules "A" and "B"

Approved by the Legislative Commissioner  
April 24, 1998

AN ACT REVISING CERTAIN TRANSPORTATION LAWS.

Be it enacted by the Senate and House of  
Representatives in General Assembly convened:

1 Section 1. (NEW) (a) The Commissioner of  
2 Transportation, or his designee, may sit as a  
3 member of the board of a consortium or trade  
4 organization organized as a nonstock, nonprofit  
5 corporation pursuant to chapter 602 of the general  
6 statutes or any similar law of another state, for  
7 the purpose of coordinating public or private  
8 sector transportation systems to provide: (1) The  
9 highest possible quality of transportation  
10 services at the lowest practicable cost to all  
11 persons needing such services; (2) the most  
12 advanced coordinated programs possible in  
13 transportation services; (3) the coordination of  
14 transportation services to eliminate duplication  
15 and incomplete coverage in the provision of such  
16 services; (4) the greatest possible state-wide,  
17 regional or national integration of transportation  
18 service programs; and (5) the education of the  
19 public of the transportation needs of the state  
20 and the goals of the consortium or trade  
21 organization which address such transportation  
22 needs.

23 (b) The commissioner, or his designee, may  
24 enter into such contracts and other agreements to  
25 further the purposes of each consortium or trade  
26 organization organized in accordance with  
27 subsection (a) of this section, and as contained  
28 in each consortium's or trade organization's  
29 certificate of incorporation, provided nothing  
30 contained in the certificate of incorporation of  
31 each such consortium or trade organization shall  
32 obligate the commissioner, or his designee,  
33 sitting as a member of the board of the consortium  
34 or trade organization, to undertake, or  
35 participate in, any activity which the  
36 commissioner, or his designee, acting in his sole  
37 discretion, determines to be in violation of the  
38 general statutes.

39 Sec. 2. Section 13a-124a of the general  
40 statutes is repealed and the following is  
41 substituted in lieu thereof:

42 (a) As used in this section, "specific  
43 information sign" means a rectangular sign with  
44 the word GAS, FOOD, LODGING, or CAMPING and exit  
45 directional information pertaining to the  
46 designated motorist service placed at the top of  
47 the sign and upon which is mounted separately  
48 attached business signs showing the brand, symbol,  
49 trademark or name, or any combination of these,  
50 for the designated service available on a  
51 crossroad at or near an interchange or  
52 intersection.

53 (b) The Commissioner of Transportation may  
54 issue permits for the erection and maintenance of  
55 specific information signs and business signs  
56 within the rights-of-way of any portion of a  
57 state-maintained limited access highway, except a  
58 parkway. The commissioner shall not issue any such  
59 permit to any person or company until such person  
60 or company files with the commissioner a bond or  
61 recognizance to the state, satisfactory to the  
62 commissioner and in such amount as the  
63 commissioner determines, subject to forfeiture  
64 upon failure to comply with (1) the requirements  
65 of this section, (2) regulations adopted pursuant  
66 to this section, or (3) any orders of the  
67 commissioner relating to the erection and  
68 maintenance of specific information signs and  
69 business signs. Any such bond or recognizance  
70 shall remain in full force and effect so long as

71 such person or company is subject to any such  
72 requirements, regulations or orders as provided in  
73 this section.

74 (c) ANY PERSON OR COMPANY ISSUED A PERMIT IN  
75 ACCORDANCE WITH SUBSECTION (b) OF THIS SECTION  
76 SHALL BE REIMBURSED, BY SUBSEQUENT PERMITTEES ON  
77 THE SAME SIGN, THE COSTS ASSOCIATED WITH SAID SIGN  
78 DIVIDED BY THE NUMBER OF OTHER PERMITTEES ON SAID  
79 SIGN.

80 ~~[(c)]~~ (d) The commissioner shall adopt  
81 regulations in accordance with chapter 54 to carry  
82 out the purposes of this section. Such regulations  
83 shall include, but not be limited to,  
84 establishment of (1) fees for the permits issued  
85 under subsection (b) of this section, [and] (2)  
86 REIMBURSEMENTS ISSUED PURSUANT TO SUBSECTION (c)  
87 OF THIS SECTION, AND (3) standards for the  
88 location, size and maintenance of specific  
89 information signs and business signs.

90 Sec. 3. Section 14-261a of the general  
91 statutes is repealed and the following is  
92 substituted in lieu thereof:

93 (a) A commercial vehicle combination may be  
94 operated, by any person who holds (1) an endorsed  
95 commercial driver's license, (2) a CDL equivalent  
96 license, (3) an endorsed class 1 license, or (4)  
97 an operator's license issued by another state  
98 authorizing such person to operate a commercial  
99 vehicle combination, together with an endorsement  
100 issued by the Commissioner of Motor Vehicles in  
101 accordance with the provisions of subsection (b)  
102 of this section, on highways which are part of the  
103 National System of Interstate and Defense Highways  
104 and those sections of the Federal-Aid Primary  
105 System which are divided highways with four or  
106 more lanes and full control of access, which  
107 highways and sections are designated by the  
108 Secretary of the federal Department of  
109 Transportation pursuant to the Surface  
110 Transportation Assistance Act of 1982, as amended,  
111 provided the Commissioner of Transportation shall  
112 impose reasonable restrictions consistent with  
113 federal law. The Commissioner of Transportation  
114 may permit the operation of a commercial vehicle  
115 combination, defined as "specialized equipment" in  
116 the Code of Federal Regulations Title 23, Part  
117 658, as amended, by any person holding a license  
118 to operate a commercial vehicle combination as

119 provided in this section AND SEMITRAILERS, AS  
120 DESCRIBED IN SUBSECTION (c) OF SECTION 14-262, on  
121 any other highway in order to allow the vehicle  
122 reasonable access to terminals, facilities for  
123 food, fuel, repairs and rest, and points of  
124 loading and unloading for household goods  
125 carriers. If a commercial vehicle combination  
126 consists of two semitrailers or a trailer drawing  
127 a semitrailer, such trailers shall be coupled by a  
128 converter dolly or a type of dolly approved by the  
129 Commissioner of Motor Vehicles.

130 (b) The Commissioner of Motor Vehicles shall  
131 establish an endorsement for persons who are  
132 eligible to operate a commercial vehicle  
133 combination but do not hold an endorsed commercial  
134 driver's license, a CDL equivalent license, or a  
135 class 1 license. To obtain such endorsement, the  
136 operator shall demonstrate personally to the  
137 commissioner, his deputy, a motor vehicle  
138 inspector or an agent of the commissioner that he  
139 (1) has held a license issued by another state for  
140 at least three years which permits him to operate  
141 a commercial vehicle combination, (2) has a level  
142 of motor vehicle operating experience satisfactory  
143 to the commissioner, including but not limited to,  
144 passing a commercial vehicle combination driving  
145 test conducted by the commissioner, and (3) has  
146 not violated any of the provisions of section  
147 14-219, 14-222 or 14-224, AS AMENDED, or  
148 subsection (a) of section 14-227a, or any similar  
149 provisions of the laws of any other state or any  
150 territory, within a three-year period, or been  
151 convicted of, or forfeited any bond taken for  
152 appearance for, or had his case nolledd upon  
153 payment of any sum of money in connection with, or  
154 received a suspended judgment or sentence for, a  
155 violation of any of said provisions within a  
156 three-year period, or a second violation within a  
157 twelve-month period of the provisions of sections  
158 14-230 to 14-249, inclusive, or of any similar  
159 provisions of the laws of any other state or any  
160 territory, or been held or found criminally  
161 responsible in connection with any motor vehicle  
162 accident resulting in the death of any person,  
163 provided the commissioner may waive the  
164 requirement of a driving test under subdivision  
165 (2) of this subsection for any applicant for an  
166 endorsement who demonstrates to the commissioner

167 that he has had at least three years experience in  
168 operating commercial vehicle combinations or that  
169 he held a valid class 1A license on June 1, 1989.  
170 Each person holding a valid class 1A license on  
171 June 1, 1989, shall, not later than December 31,  
172 1989, surrender such license to the commissioner  
173 who shall thereupon issue an endorsement to such  
174 person.

175 (c) (1) The Commissioner of Motor Vehicles  
176 shall establish a commercial vehicle combination  
177 safety inspection program under which each  
178 commercial vehicle combination subject to safety  
179 inspection shall be examined or tested with  
180 respect to the operation, condition or performance  
181 of its brakes, tires, wheels, mirrors, operating  
182 controls, glazing, lighting devices, suspension,  
183 steering, exhaust system and electrical system.  
184 After the initial inspection of each commercial  
185 vehicle combination, the commissioner shall  
186 provide for a system of staggered annual  
187 inspections for such vehicles.

188 (2) On and after July 14, 1984, no commercial  
189 vehicle combination shall be operated in the state  
190 unless it displays a currently valid certificate  
191 of inspection issued under this section or an  
192 equivalent certificate issued by another state,  
193 provided (A) any vehicle which is subject to  
194 registration and inspection in the state and which  
195 has been outside the state continuously for thirty  
196 days or more and which, at the time of reentering  
197 the state, does not bear a currently valid  
198 certificate of inspection may be operated in the  
199 state for a period of ten days after reentering  
200 the state, (B) any vehicle may be operated in the  
201 state for a period of ten days after its sale or  
202 resale, and (C) the Commissioner of Motor Vehicles  
203 may allow commercial combination vehicles to  
204 operate while displaying a certificate of  
205 inspection on the tractor portion of such vehicle  
206 only, provided the person, firm, corporation or  
207 association which operates such vehicle has  
208 established a preventive maintenance program  
209 approved by the commissioner.

210 (d) The Commissioner of Motor Vehicles shall  
211 adopt regulations in accordance with the  
212 provisions of chapter 54 to carry out the purposes  
213 of this section.

214 (e) Any person operating a commercial vehicle  
215 combination OR A SEMITRAILER, AS DESCRIBED IN  
216 SUBSECTION (c) OF SECTION 14-262, in violation of  
217 any provision of subsection (a), (b) or (c) of  
218 this section or any regulation adopted thereunder  
219 shall be fined [five hundred] ONE THOUSAND dollars  
220 for each offense. The Commissioner of Motor  
221 Vehicles shall also suspend, for sixty days, the  
222 motor vehicle registration certificate, privilege  
223 to operate or operator's license of any such  
224 person.

225 Sec. 4. The segment of Route 9 running from  
226 the junction of Interstate Route 91 in Cromwell in  
227 a generally westerly direction to the junction of  
228 Route 571 in Berlin shall be designated the  
229 "Korean War Veterans Memorial Highway".

230 Sec. 5. The length of Route 571 in Berlin and  
231 the segment of Route 372 running from Route 571 in  
232 Berlin in a generally westerly direction to the  
233 junction of Route 72 in the Forestville section of  
234 Plainville shall be designated the "Polish Legion  
235 of American Veterans Memorial Highway".

236 Sec. 6. Section 13b-96 of the general  
237 statutes, as amended by section 22 of public act  
238 97-304, is repealed and the following is  
239 substituted in lieu thereof:

240 (a) Each person, association, limited  
241 liability company or corporation owning or  
242 operating a taxicab is declared a common carrier  
243 and subject [as such] to the jurisdiction of the  
244 Department of Transportation. [, and the  
245 department] THE COMMISSIONER OF TRANSPORTATION is  
246 authorized to prescribe adequate service and  
247 reasonable rates and charges. [and prescribe and  
248 establish such reasonable regulations with respect  
249 to] THE COMMISSIONER MAY ADOPT REGULATIONS, IN  
250 ACCORDANCE WITH CHAPTER 54 FOR THE PURPOSE OF  
251 ESTABLISHING fares, service, operation and  
252 equipment as it deems necessary for the  
253 convenience, protection and safety of passengers  
254 and the public.

255 (b) THE RATES AND CHARGES ESTABLISHED PURSUANT  
256 TO SUBSECTION (a) OF THIS SECTION SHALL NOT APPLY  
257 TO ANY PERSON, ASSOCIATION, OR CORPORATION (1)  
258 OPERATING A TAXICAB ENGAGED IN THE TRANSPORTATION  
259 OF PASSENGERS FOR HIRE PURSUANT TO A CONTRACT  
260 WITH, OR A LOWER TIER CONTRACT FOR ANY FEDERAL,  
261 STATE OR MUNICIPAL AGENCY, (2) CERTIFIED PURSUANT

262 TO SECTION 13b-97 PRIOR TO THE EFFECTIVE DATE OF  
263 THIS ACT, AND (3) REGISTERED PURSUANT TO SECTION  
264 13b-99 PRIOR TO THE EFFECTIVE DATE OF THIS ACT.

265 Sec. 7. (NEW) The Commissioner of  
266 Transportation shall, whenever possible, encourage  
267 the inclusion of areas for bicycles and  
268 pedestrians when (1) creating a layout of a state  
269 highway, in accordance with section 13a-57 of the  
270 general statutes, or (2) relocating a state  
271 highway, in accordance with section 13a-56 of the  
272 general statutes.

273 Sec. 8. The bridge located at Old Highway  
274 South and Goodwives River on Route I-95 in Darien  
275 shall be designated the "Military Order of the  
276 Purple Heart Bridge".

277 Sec. 9. This act shall take effect from its  
278 passage except that sections 2, 3 and 7 shall take  
279 effect October 1, 1998.

\* \* \* \* \*

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

\* \* \* \* \*

**FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5369**

STATE IMPACT                      Minimal Cost and Revenue Gain,  
                                        Minimal Workload Impact, see  
                                        explanation below

MUNICIPAL IMPACT                None

STATE AGENCY(S)                Department of Transportation,  
                                        Judicial Department

**EXPLANATION OF ESTIMATES:**

Passage of this bill is not expected to have significant impacts on any state agency. Below is a brief summary of each section and its corresponding fiscal impact.

Section 1 - Allowing the DOT Commissioner to sit on the board of a consortium or trade organization organized as a nonstock, nonprofit organization would have no fiscal impact.

Section 2 - No cost for the DOT is anticipated. The reimbursement provision in the bill would affect businesses authorized to have logos on the same sign. The amended regulations would be completed by the DOT within existing resources.

Section 3 - Including semitrailers in the definition of commercial vehicle combination would conform with federal law. It could also minimally increase the issuance of the \$5 tandem endorsements.

The increase in the fine from \$500 to \$1000 per offense for commercial vehicle combinations would discourage



violators. A minimal revenue gain to the General Fund could be anticipated.

Section 4 - Commemoratively naming a segment of Route 9 the "Korean War Veterans Memorial Highway" would have no cost impact. However, if signs are required to be erected, the cost to the DOT would be \$10,000 for two (2) signs, - one sign in each direction. The cost covers the concrete foundations, steel supports and labor.

Section 5 - Commemoratively naming a segment of Route 372 in Berlin from Route 571 to Route 72 in the Forestville section of Plainville the "Polish Legion of American Veterans Memorial Highway" would have no cost impact. However, if signs are required to be erected, the costs would be: 1) \$500 for the eastbound sign on the two-lane roadway from Route 372 to the Forestville section in Plainville and 2) \$5,000 for the westbound sign on the SR 371 expressway.

Section 6 - The adoption of regulations concerning taxicab fares, service, operation and equipment can be handled within the Department of Transportation's budgetary resources.

Section 7 - Requires the DOT Commissioner to encourage inclusion of areas for bicycles and pedestrians associated with the design of the state's highway system. It has no fiscal impact.

Section 8 - Commemoratively naming the bridge located at Old Highway South and Goodwives River on Route I-95 in Darien the "Military Order of the Purple Heart Bridge" would have no fiscal impact. If signs are required to be erected, the cost would be \$10,000 for two (2) signs--one sign in each direction.

House "A" - The promulgation of regulations concerning taxicab fares, service, operation and equipment has a minimal and absorbable fiscal impact. Naming the bridge would have no fiscal impact. If signs are required, costs could be \$10,000. Requiring the DOT Commissioner to include areas for bicycles and pedestrians concerning highway design projects would have no fiscal impact.

House "B" which eliminates Section 2 of the original bill eliminates the administrative cost savings. Moreover, the anticipated shorter construction time periods, reduced traffic congestion and improved safety would be negated.

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### **OLR AMENDED BILL ANALYSIS**

SHB 5369 (as amended by House "A" and "B")\*

#### **AN ACT REVISING CERTAIN TRANSPORTATION LAWS**

**SUMMARY:** This bill makes several changes to laws affecting the operations, activities, and programs of the Department of Transportation (DOT). Specifically, it:

1. allows the DOT commissioner to sit on the board of and make contracts and agreements to further the purposes of a consortium or trade organization to coordinate public and private sector transportation services and achieve certain goals;
2. allows 53-foot long semitrailers to operate on the same designated highway network, and gives them the same reasonable access off the network to terminals and services as the law allows for commercial vehicle combinations (twin trailers) and other specialized equipment covered under federal law;
3. increases the fine from \$500 to \$1,000 per offense for commercial vehicle combinations violating the highway system use and other laws applying to them and applies the fine to operators of 53-foot trailers;
4. exempts from DOT regulated rates certain existing taxicab operators providing service under a contract with, or a lower tier contract for a government agency;
5. requires a permittee participating in the logo sign program to be reimbursed by businesses

subsequently authorized to have logos on the same sign;

6. requires the commissioner, whenever possible, to encourage the inclusion of areas for bicycles and pedestrians when laying out or relocating state highways; and
7. names (a) the segment of Route 9 from the junction with I-91 in Cromwell to the junction with Route 571 in Berlin (b) the "Korean War Veterans Memorial Highway," the segment of Route 372 in Berlin from Route 571 to the junction with Route 72 in the Forestville section of Plainville the "Polish Legion of American Veterans Memorial Highway," and (c) the bridge on I-95 in Darien at Old Highway South and Goodwives River the "Military Order of the Purple Heart Bridge."

\*House Amendment "A" (1) broadened the bill's authority for the commissioner to sit on a transportation consortium to include any such organization instead of a particular one known as TRANSCOM; (2) allowed DOT to engage in alternate forms of awarding construction contracts besides "A" + "B" bidding, which the original bill allowed (this provision was deleted entirely by House "B"); (3) added the provisions on taxicab rates, bicycle and pedestrian facilities, and commemorative naming of the I-95 bridge in Darien; (4) made the boarder authority for joining a transportation consortium effective upon passage instead of on October 1, 1998; and (5) makes several technical and clarifying changes.

\*House Amendment "B" deletes the provision on A + B bidding as amended by House "A".

EFFECTIVE DATE: Upon passage except for the logo sign, 53-foot trailer, and bicycle and pedestrian facility provisions which are effective on October 1, 1998.

#### **FURTHER EXPLANATION**

##### **Transportation Coordination Consortium Membership**

The bill allows the DOT commissioner or his designee to sit on the board of a consortium or trade organization

that has been organized as a nonstock, nonprofit corporation under Connecticut's or another state's similar laws when the organization's purpose is coordinating public or private sector transportation systems to provide: (1) the highest quality service at the lowest practical cost to users; (2) the most advanced coordinated programs possible; (3) coordination of services to eliminate duplication and incomplete coverage; (4) the greatest possible state, regional, and national integration of services; and (5) public education on the state's transportation needs and the goals of the organization. The bill allows the commissioner or his designee to make contracts and agreements to further the consortium's or organization's purpose as contained in its certificate of incorporation except that he cannot be obligated as a board member to participate in any action he determines violates state law.

### **Operation of 53-Foot Semitrailers**

The law already allows semitrailers that are up to 53 feet long and meet certain wheelbase requirements to operate on the Interstate Highway System and up to one mile off the interstate highways to get to and from terminals, services, and points of loading and unloading. He can allow them on additional routes if operators apply and qualify for DOT permits.

The bill includes these semitrailers on a broader network of highways designated for the operation of tandem trailers and other types of specialized highway equipment covered by federal mandate. This broader network includes non-interstate limited access highways that are at least four lanes and included on the National Highway System designated under federal law. Specifically, this includes sections of Routes 2, 8, 9, 20, and 401.

The bill increases the fine for commercial vehicle combinations operating in violation of statutory requirements from \$500 to \$1,000 per offense and also applies it to violations involving 53-foot trailers; currently punishable as infractions.

### **Taxicab Rates**

By law, DOT may, by regulation, prescribe the rates to

be charged by the taxicab operators it must regulate. The bill provides a limited exception to this fare regulation when the taxi operator is (1) providing passenger transportation service under a contract with, or a lower tier contract for a federal, state, or local government agency and (2) is DOT-certified and has its vehicles registered with the Department of Motor Vehicles before this provision becomes effective. Thus, the bill allows taxicab operators to charge other than their DOT-regulated rates when engaged in these contract services.

### **Business Logo Signs**

By law, the DOT commissioner may issue permits allowing businesses providing fuel, food, lodging, or camping services within specified distances of the highway to have their logos on service information signs erected along the highway. DOT regulations specify the requirements for these permits and other related matters. Logo signs are available on a first come-first served basis with six logos allowed on fuel service signs and four on other service signs. Under current regulations, the first permittee on the sign must pay all of its installation and maintenance costs and subsequent businesses issued permits must reimburse the original permittee a percentage of the installation cost it incurred determined by the DOT assuming a full complement of logos on the sign and a depreciation scale based on a 12-year life cycle for the sign.

The bill instead requires permittees to be reimbursed by subsequent permittees for the costs associated with the sign divided by the number of other permittees on it. DOT's regulations must include provisions on these reimbursements.

### **BACKGROUND**

#### **Legislative History**

The House referred the bill to the Government Administration and Elections Committee on April 14 and the committee reported it favorably without changes on April 15.

### **COMMITTEE ACTION**

## Transportation Committee

Joint Favorable Substitute Change of Reference  
Yea 22      Nay 0

## Judiciary Committee

Joint Favorable Report  
Yea 39      Nay 0

## Government Administration and Elections Committee

Joint Favorable Report  
Yea 18      Nay 0